

Attorney's Docket No. 045-1/262602

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

JUL 01 2005

In re: Smith *et al.*

Confirmation No.: 4161

Appl No.: 10/632,377

Group Art Unit: 1743

Filed: August 1, 2003

Examiner: To be assigned

For: A METHOD OF ISOLATING STEM CELLS

November 12, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450INFORMATION DISCLOSURE STATEMENT  
CITATION UNDER 37 C.F.R. § 1.97

Attached is a list of documents on form PTO-1449.

It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

Any foreign patents or non-patent literature documents items are attached, except those that were supplied in, or cited by the Office during prosecution of, parent Application No. 09/701,413 filed February 20, 2001. Since the benefit of this application was claimed under 35 U.S.C. 120, no copies need to be furnished in accordance with 37 C.F.R. 1.98(d); however, copies will be furnished on request.

Respectfully submitted,



W. Murray Spivill

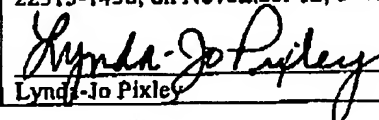
Registration No. 32,943

Customer No. 00826  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Raleigh Office (919) 862-2200  
Fax Raleigh Office (919) 862-2260

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 12, 2003

  
Lynda Jo Pixley

Substitute for form 1449A/PFO (Revised 10/2001)  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		Cont. <u>1</u> if Known	
		Application Number	10/632,377
		Filing Date	August 1, 2003
		First Named Inventor	Clayton A. Smith
		Group Art Unit	1743
Sheet <u>1</u> of <u>1</u>	Examiner Name	To be assigned	
	Attorney Docket Number	045331/262602	

## U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear
	1.	US-5,876,956	03/02/1999	Jones, et al.	
	2.	US-4,774,339	9/1998	Haugland, et al.	
	3.	US-5,451,663	9/1995	Kang, et al.	
	4.	US-5,244,636	9/1993	Walt, et al.	

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document Country Code - Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
	5.	WO 96/36344	11/12/1996	Jones, R.J., et al.		

## OTHER DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	6.	GAL, et al., "Chemoresistance in Breast Tumors," <i>Eur. J. Gynaecol. Oncol.</i> , 1991, pp. 359-374, Vol. 12(5)	
	7.	JONES, et al., "Assessment of Aldehyde Hydrogenase in Viable Cells," <i>Blood</i> , 1995, pp. 2742-2746, Vol. 86(1)	
	8.	JONES, et al., "Characterization of Mouse Lymphohematopoietic Stem Cells Lacking Spleen Colony-Forming Activity," <i>Blood</i> , 1996, pp. 487-491, Vol. 88(2)	
	9.	KAISER, et al., "Determination of the Depth of BODIPY Probes in Model Membranes by Parallax Analysis of Fluorescence quenching," <i>Biochimica et Biophysica Acta</i> , 1998, pp. 13-22, Vol. 1375	
	10.	LINDHAL, "Aldehyde Hydrogenase in 2-Acetamidofluorene-Induced Rat Hepatomas," <i>Biochemical Journal</i> , 1977, pp. 119-123, Vol. 164(1)	
	11.	STORMS, et al., "Aldehyde Dehydrogenase Activity as a Selectable Phenotype for Hematopoietic Progenitors," <i>Blood</i> , 1998, Suppl. 1 Part 1-2, 59A, Vol. 92(10)	
	12.	HEITHIER, et al., <i>Biochemistry</i> , 1994, pp. 9126-9134, Vol. 33	
Examiner Signature		Date Considered	

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

RTA01/2136120v1